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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Forty-ninth session
Agenda item 2

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Mr. Bossuyt, Mr. Boutkevitch, Ms. Daes, Mr. Eide, Ms. Ferero Ucros, Ms. Palley and Mr. Weissbrodt:
draft resolution

1997/... Situation of human rights in the Congo

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Reaffirming that all Member States have an obligation to promote and protect human rights as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights and other applicable human rights instruments,

Mindful that the Congo is a party to the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the first Optional Protocol thereto, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the African Charter on Human and Peoples' Rights and the four Geneva Conventions of 1949,

Recalling the Peace Pact of 24 December 1995 in which the parties agreed to general disarmament and the dissolution of militias,

Welcoming the ceasefire of mid-July 1997 and the continuing discussions in Libreville, within the framework of the National Mediation Committee for resolution of the conflict,

1. Expresses its concern:

(a) That the Peace Pact of 24 December 1995 has not been fully implemented;

(b) At the reports of hundreds of deaths, including those of children and other civilians, in the intercommunal strife which has occurred since early June 1997 and the continuing loss of life in the city of Brazzaville;

(c) At the reports of thousands of people who have been forced to leave their homes in the city of Brazzaville during the intercommunal strife;

(d) At allegations of torture by parties to the conflict;

(e) At the continuing difficulties experienced by the Government of the Congo and humanitarian organizations in providing medical care and other social services in the city of Brazzaville;

(f) At the shoot-on-sight policy announced by the Minister of Security in January and then apparently discontinued, but with no announcement of a formal cancellation of the policy;

(g) That the presidential elections could not be held;

2. Calls upon the Government of the Congo and all parties to the conflict:

(a) To abide by their obligations under international human rights and humanitarian law and to cease abuses;

(b) To create conditions for the delivery of medical care and other social services in the city of Brazzaville;

(c) To select an independent, respected and impartial elections commission to arrange for elections, to allow free and fair elections, to

agree to abide by the results, taking into account the need for diversity in the ethnic composition of the Government, and to develop a civil society for the maintenance of human rights and peace;

(d) To develop confidence-building measures so that people from all parts of the Congo can again enjoy freedom of movement;

(e) To develop mechanisms for transparency such that everyone will know how governmental revenues are being distributed and spent;

(f) To provide access to and cooperate with a recognized humanitarian body in protecting the rights of detainees throughout the country and contributing to the protection of the civilian population of the country;

(g) To ensure thorough and impartial investigations into allegations of violations of human rights and international humanitarian law and to bring the perpetrators to justice;

3. Decides to recommend that the Commission on Human Rights consider the situation of human rights in the Congo at its next session and, if the Commission is unable to take action on the situation of human rights in the Congo, to continue consideration of the matter at its fiftieth session under the same agenda item.